

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, September 15, 2011

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 8 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Absent: 1 - Cynthia M. Santos

Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Barbara J. McGowan, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Frank Avila, seconded by Patricia Horton, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 12:35 p.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [11-1137](#) Report on investments purchased during July 2011

 Attachments: [Inv Purch 2011-07 att.pdf](#)

 Published and Filed
- 2 [11-1138](#) Report on the investment interest income during July 2011

 Attachments: [Inv Int Inc 2011-07 att.pdf](#)

 Published and Filed

Authorization

- 3 [11-1114](#) Authorization to Amend Board Order of August 11, 2011, for Authority to add Project 11-706-31, Furnish and Deliver Plug Valves for Digester Gas Compression System at the Egan Water Reclamation Plant (WRP) and Project 11-731-31, Rebuild Clarifier Drives at the Egan WRP, to the Construction Fund, estimated costs of these projects are \$109,000.00 and \$220,000.00, respectively, Agenda Item No. 10, File No. 11-0902
Approved
- 4 [11-1115](#) Authorization to Amend Board Order of August 11, 2011, for Authority to add Project 11-733-31, Preliminary Gate House 3 Sludge Pipe Liner Installation at the North Side Water Reclamation Plant (WRP), to the Construction Fund, estimated cost of the project is \$78,000.00, Agenda Item No. 9, File No. 11-0894
Approved
- 5 [11-1116](#) Authority to add Project 11-720-21, Rebuilding Norwalk Air Compressor #2 at the Kirie Water Reclamation Plant, to the Construction Fund, estimated cost of the project is \$73,400.00.
Approved

Procurement Committee

Report

- 6 [11-1107](#) Report on rejection of bids for Contract 11-870-11, Janitorial Services at the Prairie Plan Site in Fulton County, Illinois, estimated cost \$30,000.00
Published and Filed
- 7 [11-1108](#) Report of bid opening of Tuesday, August 23, 2011
Published and Filed
- 8 [11-1109](#) Report of bid opening of Tuesday, August 30, 2011
Published and Filed

Authorization

- 9 [11-1135](#) Authorization to amend Board Order of September 1, 2011, regarding authorization to issue a purchase order and enter into an agreement with Donohue & Associates, Inc. for professional engineering services for Contract 10-880-4H, TARP Control Structure Rehabilitation and South Park Control Structure Improvements, NSA, SSA, and CSA, in an amount not to exceed \$1,310,827.00, Account 401-50000-601420, Requisition 1328157, Agenda Item No. 22, File No. 11-1054
Approved

Authority to Advertise

- 10 [11-1112](#) Authority to advertise Contract 11-474-11 Furnish and Deliver Three-Year Software Maintenance Renewal of FileMaker Pro Software to the MWRDGC, estimated cost \$83,025.00, Account 101-27000-612820, Requisition 1327760
Approved
- 11 [11-1167](#) Authority to advertise Request for Proposal 12-RFP-01 Perform Federal Legislative Consulting Services, estimated cost \$522,000.00, Account 101-15000-601170, Requisition 1327265
Deleted by the Executive Director
- 12 [11-1168](#) Authority to advertise Request for Proposal 12-RFP-02 State Legislative Liaison Consulting Services, estimated cost \$106,200.00, Account 101-15000-601170, Requisition 1327783
Deleted by the Executive Director
- 13 [11-1169](#) Authority to advertise Request for Proposal 12-RFP-03 State Legislative Consulting Services, estimated cost \$42,000.00, Account 101-11000-601170, Requisition 1327784
Deleted by the Executive Director

Issue Purchase Order

- 14 [11-1113](#) Issue purchase order to SAS Institute Inc. to Furnish and Deliver renewal of existing Statistical Analysis Software (SAS) software license for one year, in an amount not to exceed \$29,020.00, Account 101-27000-623800, Requisition 1326565
Approved
- 15 [11-1131](#) Issue purchase order to Risk Management Resources, Inc. for Furnishing Excess Auto Liability Insurance Coverage for Automobiles, Trucks, Trailers, Uninsured and Underinsured Motorists and Non-owned Automobiles in an amount not to exceed \$77,700.00, Account 101-30000-612290, Requisition 1327364
Approved
- 16 [11-1134](#) Issue purchase order and enter into agreement for Contract 11-RFP-05, furnish and deliver E-Learning Courseware for a three-year period, October 1, 2011 through September 30, 2014, in an amount not to exceed \$121,000.00, Account 101-25000-612820, Requisition 1328461
Approved

- 17 [11-1147](#) Issue purchase order for Contract 11-468-13 (Re-Bid), Furnish and Deliver Forty-Seven (47) Multi-Functional Photocopier Devices and a Four (4) Year Repair Service, Supplies, and Maintenance Agreement at Various District Locations, to Imagetec L.P., in an amount not to exceed \$493,486.93, Accounts 101-27000-634810, 612810, Requisition 1313308

 Deleted by the Executive Director
- 18 [11-1149](#) Issue purchase order for Contract 11-698-11, Furnish and Deliver Three Lagoon Pumps to LASMA and CALSMA, to Wakarusa Nutritional Services, LLC, in an amount not to exceed \$95,916.00, Account 101-66000-634760, Requisition 1320980

 Approved
- 19 [11-1152](#) Issue purchase order and enter into an agreement with Illinois Central Railroad Company (ICRR), a subsidiary of Canadian National Railway Company, to Furnish, Deliver, Install and Maintain a Rail Switch at the Stickney Water Reclamation Plant, for a Five (5) Year Period, for a total amount not to exceed \$30,000.00, Account 101-69000- 612670, Requisition 1325906

 Approved
- 20 [11-1158](#) Issue purchase orders for Contract 11-603-11, Furnishing and Delivering Roadway Rock Salt to Various Service Areas, to Central Salt, LLC, in an amount not to exceed \$157,897.64, Accounts 101-67000, 68000, 69000-623130, Requisitions 1320702, 1320709, 1316552, 1320378, and 1321316

 Approved
- 21 [11-1160](#) Issue purchase order and enter into an agreement for Contract 11-RFP-15, Duplication of Legal Materials, Trial Records and Other Reprographic Services for the District's Law Department for a Two-Year Period, with IKON Office Solutions, Inc., in an amount not to exceed \$80,000.00, Accounts 101-30000-612090 and 401-50000-612090, Requisition 1326931

 Approved
- 22 [11-1165](#) Issue purchase order and enter into an agreement with Hach Company to furnish, deliver and install a Flow Injection Analyzer System, in an amount not to exceed \$51,019.95, Account 101-16000-634970, Requisition 1328475

 Approved

Award Contract

- 23 [11-1117](#) Authority to award Contract 10-185-3E, Pump and Blower Medium Voltage Switchgear Replacement at the Stickney Water Reclamation Plant, to Divane Bros. Electric Company, in an amount not to exceed \$5,797,000.00, Accounts 401-50000-645650 and 401-50000-645680, Requisition 1324186

Attachments: [APP D 10-185-3D.pdf](#)

Approved

- 24 [11-1122](#) Authority to award Contract 11-964-11, Tuckpointing and Rehabilitation of the Westchester Pumping Station, to Bill's Painting Company, for an amount not to exceed \$59,770.00, Account 101-69000-612680, Requisition 1318611

Approved

- 25 [11-1130](#) Authority to award Contract 11-653-11, Underground Infrastructure Cleaning at Various Service Areas, Groups A, B, C, and D, to Sheridan Plumbing and Sewer, Inc., for an amount not to exceed \$953,000.00, Accounts 101, 501-50000, 66000, 67000, 68000, 69000-612600, Requisitions 1320086, 1318923, 1320692, and 1311429

Attachments: [APP D 11-653-11](#)

Approved

- 26 [11-1148](#) Authority to award Contract 11-006-13, Furnish and Deliver Janitorial Supplies to Various Locations for a One-Year Period, Group A, to Inlander Brothers, Inc., in an amount not to exceed \$34,503.39, Accounts 101-20000-623110, 623170, 623660

Approved

Increase Purchase Order/Change Order

- 27 [11-1110](#) Authority to decrease Contract 09-636-11, Furnish and Deliver Hydrogen Peroxide and Maintain a Hydrogen Peroxide Injection System at the Stickney Water Reclamation Plant, to SWT Municipal Services, Business Div. of Siemens Water Technology Corp., in an amount of \$95,292.00, from an amount of \$400,000.00 to an amount not to exceed \$304,708.00, Account 101-69000-623560, Purchase Order 5000985

Approved

- 28 [11-1111](#) Authority to increase purchase order to Serpentix Conveyor Corporation, to Furnish and Deliver Replacement Parts to the North Side, Egan, Calumet and Stickney Water Reclamation Plants, in an amount of \$20,000.00, from an amount of \$100,015.51, to an amount not to exceed \$120,015.51, Account 101-68000-623270, Purchase Order 3061197

Attachments: [Serpentix Conveyor 3061196 - 198 Change Orders, as of 8-12-11 for 9-1-11](#)

Approved

- 29 [11-1136](#) Authority to decrease purchase order and amend the agreement with Infrastructure Engineering, Inc., for professional engineering services for Contract 10-885-5C, Preliminary Engineering for Streambank Stabilization Projects on Tinley Creek, I&M Canal Tributary D, and Calumet-Sag Tributary C, in an amount of \$29,183.95, from an amount of \$226,229.49, to an amount not to exceed \$197,045.54, Account 501-50000-601410, Purchase Order 3065344

Approved

- 30 [11-1139](#) Authority to increase Contract 96-251-2P Sludge Thickening Facilities, Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$38,189.66, from an amount of \$8,431,974.73, to an amount not to exceed \$8,470,164.39, Accounts 401-50000-645650 and 645750, Purchase Order 5001108

Attachments: [CO 96-251-2P.pdf](#)

Approved

- 31 [11-1140](#) Authority to increase Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant, to McHugh Construction, in an amount of \$145,671.89, from an amount of \$163,433,895.66, to an amount not to exceed \$163,579,567.55, Account 401-50000-645650, Purchase Order 5001115

Attachments: [CO 09-176-3P.pdf](#)
 [Addl CO 09-176-3P.pdf](#)

Approved

- 32 [11-1141](#) Authority to decrease Contract 07-168-3P Scum Concentration, Centrifuge Building, Preliminary & Imhoff Tanks, Elevator Improvements, Diffuser Plates and Trailer Replacement, Stickney Service Area, LASMA, to IHC Construction Companies, LLC, in an amount of \$1,228,203.13, from an amount of \$23,741,270.78, to an amount not to exceed \$22,513,067.65, Accounts 401-50000-645750 and 645780, Purchase Order 5001198

Attachments: [CO 07-168-3P.pdf](#)

Approved

- 33 [11-1142](#) Authority to decrease Contract 04-201-4F, Tollway Dam, Grout Curtain and Quarry Plugs, Thornton Composite Reservoir, Calumet Service Area, to F.H. Paschen, S.N. Nielsen and Associates LLC, and Cabo Construction Corporation, Joint Venture, in an amount of \$74,450.00, from an amount of \$69,597,667.76, to an amount not to exceed \$69,523,217.76, Account 401-50000-645620, Purchase Order 5001105

Attachments: [CO 04-201-4F.pdf](#)

Approved

- 34 [11-1157](#) Authority to increase purchase order and amend the agreement with AT&T Global Services, Inc., d/b/a SBC Global Services, for service for thirty-six (36) point to point T1 lines and service for three (3) Gigaman lines in an amount of \$425,228.00, from an amount of \$1,769,000.00, to an amount not to exceed \$2,194,228.00, Account 101-27000-612210, Purchase Order 3048028

Approved

- 35 [11-1166](#) Authority to increase purchase order and amend the agreement with Smithamundsen LLC, for legal services in the matter of Gaweda, et al. v. MWRDGC, Case No. 10 CH 52264, in an amount of \$17,500.00, from an amount of \$55,000.00, to an amount not to exceed \$72,500.00, Account 101-11000-601170, Purchase Order 3066424

Attachments: [SmithAmundsen PO increase 2011-09-15 att.pdf](#)

Deferred by Kathleen Therese Meany

Engineering Committee

Report

- 36 [11-1126](#) Report on the Plan for Implementation of Disinfection Facilities at the North Side and Calumet Water Reclamation Plants

Published and Filed

- 37 [11-1170](#) Report on change orders authorized and approved by the Director of Engineering during the month of August 2011

Attachments: [CO August.pdf](#)
 [CO Status.pdf](#)

Published and Filed

Authorization

- 38 [11-1128](#) Authority to make payment of \$10,000,000.00 to the Army Corps of Engineers for the non-federal sponsor's share of the costs associated with the Chicagoland Underflow Plan McCook Reservoir, Project 73-161-2H, Account 401-50000-645630

Approved

Judiciary Committee

Report

- 39 [11-1104](#) Report on the Settlement of Workers' Compensation Claims and Miscellaneous Claims under \$10,000.00 (*As Revised*)

Attachments: [Atts. Rpt on WCC Settlements \(3\).pdf](#)

Published and Filed

Labor & Industrial Relations Committee

Authorization

- 40 [11-1105](#) Authority to extend until October 6, 2011, the terms of the collective bargaining agreements between the Metropolitan Water Reclamation District of Greater Chicago and 1) SEIU Local 1, Firemen and Oilers Division; 2) the Building Trades Coalition; 3) the Teamsters Local Union 700; 4) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Instrumentation and Testing); 5) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Operations); and 6) the International Union of Operating Engineers, Local Union No. 399.

Approved

Pension, Human Resources & Civil Service Committee

Authorization

- 41 [11-1106](#) Policy Regarding Employee and Retiree Contribution Rates for Health Care Benefits

Attachments: [Contribution Exhibit A 9-15-11.pdf](#)
 [Contribution Exhibit B 9-15-11.pdf](#)
 [Contribution Exhibit C 9-15-11.pdf](#)
 [Contribution Exhibit D 9-15-11.pdf](#)

Approved

- 42 [11-1125](#) Requesting the advice and consent of the Board of Commissioners to the appointment of Dr. Thomas C. Granato as the Director of Monitoring and Research for the Metropolitan Water Reclamation District of Greater Chicago

Attachments: [Granato attachment.pdf](#)

Approved

- 43 [11-1127](#) Requesting the advice and consent of the Board of Commissioners to the appointment of Mr. Ronald M. Hill as the General Counsel for the Metropolitan Water Reclamation District of Greater Chicago

Attachments: [Hill attachment.pdf](#)

Patricia Horton voted Nay

Approved

Real Estate Development Committee

Authorization

- 44 [11-1161](#) Ratification of the Executive Director's September 1, 2011 execution of a 45-day permit extension issued to SPI Petroleum, LLC, on approximately 3.78 acres of improved real estate located at 4801 South Harlem Avenue in Forest View, Cook County, Illinois; Main Channel Parcel 37.11. Consideration shall be \$18,013.50

Attachments: [09-15-11_SPI Petroleum LLC.pdf](#)

Approved

- 45 [11-1163](#) Authority to issue a 6-month permit to Midwest Sybron Corporation for the continued use of a 930-foot x 10-foot area located within the District's James C. Kirie Water Reclamation Plant in Des Plaines, Illinois, for the continued operation, maintenance, and removal of a 10-inch diameter water main. Consideration shall be a document preparation fee of \$ 2,000.00

Attachments: [09-15-11_Midwest Sybron Corp.pdf](#)

Approved

State Legislation & Rules Committee

Report

- 46 [11-1150](#) Report on the Status of the District's State of Illinois 2011 Legislative Program (Deferred from the September 1, 2011 Board Meeting)

Published and Filed

Authorization

- 47 [11-1145](#) Authority for the MWRD Retirement Fund Recommendation for the State of Illinois 2011 Legislative Program (*As Revised*)

Approved

Stormwater Management Committee

Authorization

- 48 [11-1124](#) Authorization for payment to the Illinois Environmental Protection Agency for a permit review and certification fee in the amount of \$10,000.00 in connection with Heritage Park Flood Control Facility, Contract 09-365-5F, Account 501-50000-601170

Approved

Miscellaneous and New Business

Resolution

- 49 [11-1164](#) RESOLUTION sponsored by the Board of Commissioners recognizing the Chatham Business Association's Annual Awards Gala
- A motion was made by Barbara J. McGowan, seconded by Patricia Horton, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

Additional Agenda Items

- 50 [11-1171](#) Issue a purchase order and enter into an agreement with CH2M HILL Engineers, Inc. for professional engineering services for Contract 10-883-5F, Final Design Engineering for Flood Control Projects on Tinley Creek, Navajo Creek and Cherry Creek East Branch, in an amount not to exceed \$1,223,317.54, Account 501-50000-601420, Requisition 1328805
- Approved**
- 51 [11-1172](#) Issue a purchase order and enter into an agreement with Black & Veatch Corporation for professional engineering services for Contract 10-884-5F, Final Design Engineering for Flood Control Projects on Upper Salt Creek and Deer Creek, in an amount not to exceed \$978,319.90, Account 501-50000-601420, Requisition 1329192
- Approved**
- 52 [11-1173](#) RESOLUTION sponsored by the Board of Commissioners congratulating the Maintenance and Operations Department and its staff on being awarded the 2010 Peak Performance Award from the National Association of Clean Water Agencies
- A motion was made by Patricia Horton, seconded by Mariyana T. Spyropoulos, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

- 53 [11-1174](#) Report on advertisement of Request for Proposal 12-RFP-03 State Legislative Consulting Services, estimated cost \$42,000.00, Account 101-11000-601170, Requisition 1327784
Terrence J. O'Brien voted Nay
Published and Filed
- 54 [11-1175](#) Report on advertisement of Request for Proposal 12-RFP-02 State Legislative Liaison Consulting Services, estimated cost \$106,200.00, Account 101-15000-601170, Requisition 1327783
Terrence J. O'Brien voted Nay
Published and Filed
- 55 [11-1176](#) Report on advertisement of Request for Proposal 12-RFP-01 Perform Federal Legislative Consulting Services, estimated cost \$522,000.00, Account 101-15000-601170, Requisition 1327265
Terrence J. O'Brien voted Nay
Published and Filed
- 56 [11-1177](#) Authority to increase emergency Contract 11-700-05, Repair of the Collapsed Upper Des Plaines 11D Ext F Interceptor Sewer and Hicks Road Repair and Restoration, Sheridan Plumbing & Sewer, Inc., in an amount not to exceed \$325,000.00, from an amount of \$500,000.00, to an amount not to exceed \$825,000.00, Account 901-30000-667220, Purchase Order 5001264
Approved

Approval of the Consent Agenda with the exception of Items: 11, 12, 13, 17, 35, 49, and 52

Patricia Horton voted Nay on Item #43
Terrence J. O'Brien voted Nay on Item #53
Terrence J. O'Brien voted Nay on Item #54
Terrence J. O'Brien voted Nay on Item #55

A motion was made by Frank Avila, seconded by Mariyana T. Spyropoulos, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Cynthia M. Santos

Meeting Summary

Speakers

William Garth, Chatham Business Association, accepted the resolution recognizing the Chatham Business Association's Annual Awards gala (Re: Miscellaneous and New Business Item #49)

Ken Kirk, National Association of Clean Water Agencies, presented the 2010 Peak Performance Award. Manju Sharma, Director of Maintenance and Operations, accepted the award the resolution recognizing same (Re: Miscellaneous and New Business Item #52)

Summary of Requests

Denice Korcal

Barbara J. McGowan requested a list of all the classes that will be offered (Re: Procurement Item #16)

David St. Pierre

Michael A. Alvarez requested a process be implemented to catch such errors (Re: Procurement Items #34)

Ron Hill

Kathleen Therese Meany requested a status report of the case (Re: Procurement Item #35)

David St. Pierre

Frank Avila requested the team member list, the list of firms that may be selected and the list of plants that each firm has conducted business. Terrence J. O'Brien requested not to be included in the distribution of aforesaid information (Re: Engineering Item #36)

Ken Kits

Debra Shore requested maps be included (Re: Procurement Items #50 and #51)

David St. Pierre

Michael A. Alvarez requested that the estimated costs listed be reviewed and if wording "up to dollar amount" can be used on proposals (Re: Procurement Items #53, #54 and #55)

David St. Pierre

Barbara J. McGowan requested that the dollar amount be removed from the proposals (Re: Procurement Items #53, #54 and #55)

David St. Pierre

Mariyana T. Spyropoulos requested the status on the capability of streaming live video of board meetings

David St. Pierre

Debra Shore requested that the informational material provided at the recent public meetings be available on the District's web site

Study Session

Patricia Horton requested a study session on energy audit

Barbara J. McGowan requested a study session on disinfection and the qualifications-based process for the selection of consulting engineers and architectural firms

Board Letter Submission Dates

The next regular board meeting is scheduled for October 6, 2011, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: September 23, 2011

Date Board letters are due to the Executive Director: 1:00 p.m., September 28, 2011

Adjournment

A motion was made by Mariyana T. Spyropoulos, seconded by Barbara J. McGowan, that when the Board adjourns it adjourns to meet on Thursday, October 6, 2011, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Cynthia M. Santos

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this September 15, 2011, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

September 15, 2011